

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

July 8, 2011

Lyle W. Cayce
Clerk

No. 11-40363
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JUAN GUILLERMO SILVAS,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:08-CR-613-1

Before WIENER, PRADO, and OWEN, Circuit Judges.

PER CURIAM:*

Juan Guillermo Silvas, federal prisoner # 19188-179, pleaded guilty to possession with intent to distribute 154.44 grams of cocaine base in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A) and was sentenced to 160 months of imprisonment and 10 years of supervised release. He moves for leave to appeal in forma pauperis (IFP) from the district court's denial of his motion to reduce sentence, identified as arising under 18 U.S.C. § 3582(c)(2).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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Silvas's arguments that he was entitled to a sentence reduction under Amendment 484 to U.S.S.G. § 2D1.1 and the district court erred in calculating the drug quantity attributable to him are not cognizable under § 3582. *See United States v. Alvarez*, 210 F.3d 309, 310 (5th Cir. 2000); *United States v. Shaw*, 30 F.3d 26, 29 (5th Cir. 1994); *United States v. Early*, 27 F.3d 140, 142 (5th Cir. 1994).

Silvas's motion was an unauthorized motion without a jurisdictional basis. *See Early*, 27 F.3d at 142. Accordingly, Silvas's motion for leave to proceed IFP on appeal is DENIED, and the appeal is DISMISSED as frivolous. *See* 5TH CIR. R. 42.2.

MOTION DENIED; APPEAL DISMISSED.